

JUDGE BUCHWALD CV 08-CV-01652-NRB

NOURSE & BOWLES, LLP

Attorneys for Plaintiff

SH MARINE LTD.

One Exchange Plaza

At 55 Broadway

New York, NY 10006-3030

(212) 952-6200

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
SH MARINE LTD., :
: :
Plaintiff, : :
: : 08 Civ. ()
- against - : :
COSCO SHIPYARD GROUP CO., LTD., and : :
COSCO (DALIAN) SHIPYARD CO., LTD. : : **AFFIDAVIT IN SUPPORT OF**
: : **APPLICATION FOR**
: : **MARITIME ATTACHMENT**
: :
Defendants. : :
-----X

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

ARMAND M. PARÉ, JR., being duly sworn, deposes and says:

1. I am a member of the firm of Nourse & Bowles, LLP attorneys for Plaintiff, SH Marine Ltd., and make this affidavit in support of Plaintiffs' application for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B(1) of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure.

2. Based upon my inquiries and to the best of my information and belief, Defendants, Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. are foreign corporations and cannot be "found" within this District for the purpose of attachment under Rule B. In support of this position, I and my staff have conducted the following investigation:

(a) My staff has contacted the office of the New York Department of State, Division of Corporations on February 11, 2008, via the official Department of State website at <http://www.dos.state.ny.us> and conducted a search for corporations named Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. and the search results indicated that Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. are not New York corporations, nor are they licensed, authorized or registered to do business in the State of New York as either domestic or international corporations;

(b) My staff has consulted with Directory Assistance for New York on February 11, 2008 for area codes (212), (718), (917), (646), (347), (914), (845), and no listings for Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. were located;

(c) I and my staff reviewed the Journal of Commerce (Business Directory) Transportation Tickler, 2007 Edition (Vol. 1 New York Metropolitan Area) and no listings were found for Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd.;

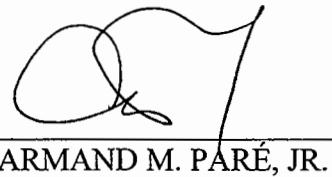
(d) My staff accessed on February 11, 2008, through Microsoft Internet Explorer and Yahoo! Search engines the yellow pages telephone directory database and found no listing in that database for any office or agent of Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. in the State of New York;

(e) I and my staff accessed through Microsoft Internet Explorer, Yahoo and Google search engines and found no listing for any office or agent of Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. in the State of New York nor elsewhere other than in China;

(f) I and my staff are unaware of any general or managing agent(s) within this District for Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd.

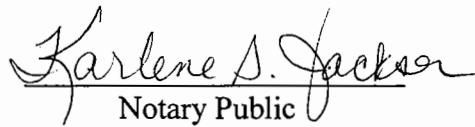
3. Based upon the foregoing, I submit that Defendants, Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. cannot be "found" within this District for the purpose of an attachment pursuant to Rule B and therefore Plaintiff seeks an order of attachment against the tangible and intangible property of Cosco Shipyard Group Co., Ltd. and Cosco (Dalian) Shipyard Co., Ltd. as may be found within this District up to and including the amount of the claim specified in the Verified Complaint.

4. No previous application for an Order of Attachment and Garnishment or similar relief has been sought in the United States in this matter.



ARMAND M. PARÉ, JR.

Sworn to before me
this 19th day of February, 2008



Karlene S. Jackson
Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5083169
Qual. In Queens City, New York City
Commission Expires November 17, 2009